

From: Jen Gurtov [mailto:jgurtov@starbucks.com]
Sent: Wednesday, June 30, 2010 9:16 PM
To: Giancarlo Negovetti; Shelby Wood
Cc: Kevin Cox; Lara Rose; S11649 Hudson & King
Subject: RE: 345 Hudson St Starbucks-getting bad

Good Morning Giancarlo, Shelby, Lara and Kevin,

First off, I want to thank you all...you are obviously extremely loyal customers to my location on King. Also, thank you for taking the time to provide such specific feedback, it is extremely valuable in our efforts to highly satisfy our customers. Secondly, I would like to apologize for the disappointing experiences you have shared.

I want you all to know that I have also recognized many of the opportunities you have mentioned in the below e-mails. I have been working closely with the Store Manager of that location, Serenity, for the past 6-8 weeks. Our primary focuses have centered around speed of service, friendliness of employees, as well as accuracy of beverages and hand off. The two major dayparts we are focused on are our morning rush, 8a-11a and our afternoon peak period, 2:30p-4:30p. So, suffice it to say, I am not surprised that these are the dayparts you have had negative experiences in, however am disappointed that you continue to, even into as recently as this morning.

I have already forwarded the below e-mails to Serenity, and am copying her on this e-mail. We take your concerns seriously, and are committed to turning around your experiences.

On your next visit, please introduce yourselves to Serenity, we would love to buy all of you a round of beverages on us, and are also interested in your continued feedback on the progresses we make as well as if you continue to have negative experiences.

Thank you again for taking the time to share such specific and valuable concerns...I promise, we are committed to making your experiences not only better, but outstanding.

Have a great night!

Jennifer Gurtov District Manager
Starbucks Coffee Company
917.975.1131

Sent from my Samsung Jack™, a Windows Mobile® smartphone from AT&T

From: Giancarlo Negovetti <GNegovetti@emmisny.com>
Sent: Wednesday, June 30, 2010 10:26 AM
To: Shelby Wood <SWood@emmisny.com>; Jen Gurtov <jgurtov@starbucks.com>
Cc: Kevin Cox <kcox@emmisny.com>; Lara Rose <LRose@emmisny.com>
Subject: RE: 345 Hudson St Starbucks-getting bad

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I couldn't agree more with Shelby's comments.

Previously, even when this store was busy, it was a smooth operation with friendly staff who seemed to be on top of things. Lately, even when it's slow, it's very disorganized. When orders are taken at the line via walkie-talkie, it's a toss up as to whether or not they are received & completed properly on the other end. A regular hot coffee is ordered and we're told to go to the back counter for pickup, but then it sits by the register as we wait for no reason until someone finally realizes..."Hey, who's grande Verona is this?"

Your cashiers also need a little work on their greetings...particularly the gentleman Shelby mentions below.

There may be some good staff hidden among the bad, but this whole team needs some inspiration.

Thank you in advance for your help.

Giancarlo Negovetti

National Sales Manager
Emmis New York

WQHT/WRKS/WRXP
395 Hudson Street
New York, NY 10014

Ph: 212-367-1637

En: gnegovetti@emnismny.com

From: Shelby Wood
Sent: Wednesday, June 30, 2010 9:54 AM
To: jgurtov@starbucks.com
Cc: Kevin Cox; Lara Rose; Giancarlo Negovetti
Subject: 345 Hudson St Starbucks-getting bad

What has happened to my favorite local Starbucks?!

I am writing you regarding the Starbucks on 345 Hudson Street (below King St).

My co-workers and I have been going there since it opened, twice a day. Once in the morning, and once around 3pm. We knew everyone there—they were all so nice and knew our names. We loved going there.

Now, everyone either left or was transferred, and there are all new people there. Not only is it chaos in there all the time, but no one is particular happy or nice.

BUT, I want to complain in particular about a worker there named TROY.

Not only does he look miserable ALL THE TIME, but he hands over the cups of coffee with his palm over the lid. I even asked him a couple times not to do that (and I asked for extra lids) but he still does it. I don't understand. We even make sure we do not go to him at his register.

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So to add to his constant bad mood, his dirty hands are all over my lid...when I know they are supposed to hand over the cups by the side. He just did it again this morning.

I don't usually ever write emails about anything....but we are starting to not enjoy the experience anymore, and Starbucks always has such amazing employees.

Please let me know if there is anything you can do, we really do love Starbucks, and this is the closest one!

thank you :)

Shelby A. Wood
Senior Media Portfolio Manager

Emmisis Communications, NYC WQHT, WRKS, WRXP
395 Hudson St. 7th Fl.
New York, NY 10014
p: 212.367.1530
f: 212.206.3695

Assistant: Alexis Day: aday@emmisisny.com or 212.352.5732

great media. great people. great service

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others.

d

Message Headers:

Received: from paems364.starbucks.net (10.3.49.23) by paems362.starbucks.net (10.4.11.41) with Microsoft SMTP Server (TLS) id 8.2.213.0; Tue, 6 Jul 2010 14:00:10 -0700
 Received: from Psmtbp.com (10.3.48.79) by paems364.starbucks.net (10.3.49.23) with Microsoft SMTP Server (TLS) id 8.2.213.0; Tue, 6 Jul 2010 13:46:24 -0700
 Received: from source ([65.211.179.21]) by expord6mx211.postini.com ([64.18.5.10]) with SMTP; Tue, 06 Jul 2010 17:00:09 EDT
 Received: from nyradbepf1.us.ecc.ads ([10.1.7.6]) by CORPAPBH3.emmis.com with Microsoft SMTPSVC (6.0.3790.4675); Tue, 6 Jul 2010 17:00:07 -0400
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 MIME-Version: 1.0
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 boundary="----=_NextPart_001_01CB1D4E.36168F01"
 Subject: RE: 345 Hudson St Starbucks- getting bad
 Date: Tue, 6 Jul 2010 17:00:04 -0400
 Message-ID: <246B97A9DC751441B63A06720B8C94C5046B6E5D@nyradbepf1.us.ecc.ads>
 In-Reply-To: <8396EC7C50D0194E884D65E6C06BDA32032754230D@PAEMS354.starbucks.net>
 X-MS-Has-Attach:
 X-MS-TNEF-Correlator:
 Thread-Topic: 345 Hudson St Starbucks- getting bad
 Thread-Index: AcSYW6nZ0.6fIGzSJ6y8/b1ldhfVAAAEEQ8gAUUA3bGcLt61sA==
 References: <8396EC7C50D0194E884D65E6C06BDA32032754230D@PAEMS354.starbucks.net>
 From: Shelby Wood <SWood@emmisny.com>
 To: Jen Gurtov <jgurtov@starbucks.com>, Giancarlo Negovetti <GNegovetti@emmisny.com>
 CC: Kevin Cox <kccox@emmisny.com>, S11649 Hudson & King <S11649retail.starbucks.com>
 Return-Path: SWood@emmisny.com
 X-OriginalArrivalTime: 06 Jul 2010 21:00:07.0787 (UTC) FILETIME=[37043BB0:01CB1D4E]
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 X-pstn-levels: (S:99.9000/99.90000 CV:99.9000 FC:95.5390 LC:95.5390 R:95.9108 P:95.9108 M:97.0282 C:98.6951)
 X-pstn-settings: 3 (1.0000:1.0000) s cv gt3 gt2 gt1 r p m c
 X-pstn-addresses: from <SWood@emmisny.com> [db-null]

SourceLastModifiedTime: 7/9/2010 11:37:05 AM +00:00

This HTML was generated by AccessData using data parsed from "jgurtov.pst".
 Please refer to that file for the original evidence.

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Serenity Marshall (2)

<http://www.facebook.com/home.php>

Serenity Marshall

my boss needs a man n her life so she can leave me alone

December 28, 2009 at 6:08pm via Mobile Web · · Like ·

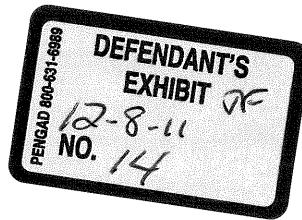
Yanni Lee, Zakia Slade, Peter Krates-Hernandez and 3 others like this.

David Rodriguez We need to go out and get shyt faced like we used to!!!!

December 28, 2009 at 8:09pm · Like

Serenity Marshall I agree!!! call it and I am down

December 28, 2009 at 8:55pm · Like



PERFORMANCE REVIEW FOR STORE MANAGER

Partner Name: Serenity Marshall
 Partner Number: 1088330
 Department: 847
 Supervisor's Name: Michael Nicodemus

Date Current Review Administered: 9/18/2008
 Effective Date of Current Review: 9/29/2008
 Time in Position: 33 month

Performance Ratings

3 - (CE) Consistently Exceeds Expectations (2.6 - 3.0): Performance and contributions consistently exceed the performance objectives of the position.

2 - (ME) Meets Expectations (1.6 - 2.5): Performance and contributions meet the performance objectives of the position.

1 - (NI) Needs Improvement (1.0 - 1.5): Performance and contributions do not meet the performance objectives of the position.

KEY RESPONSIBILITIES		Rating
Leadership: Trains and holds partners accountable for delivering legendary customer service. Provides appropriate coaching and direction to achieve operational goals. Drives implementation of company programs through partners. Reviews store environment/business indicators to identify and solve problems. Demonstrates a calm exterior presence during periods of high volume/unusual events.		1
Planning/Execution: Communicates clearly, concisely, and accurately to ensure effective store operations. Effectively manages staffing levels to achieve and maintain store operational requirements.		2
Business Requirements: Proactively analyzes financial reports to identify and address any trends or issues in store performance. Understands and uses all operational tools to achieve operational excellence, including ALS, status reports, QBRs, cash and inventory management. Solicits customer feedback to understand customer and community needs.		2
Partner Development & Team Building: Challenges and inspires partners to achieve business results. Develops and maintains positive relationships with store team. Regularly assesses performance, provides feedback, and sets challenging goals to improve partner performance. Appropriately recognizes individual and team accomplishments.		2
OTHER MEASURES		
Developing for the Future - Continuously fosters the development of partners for current role or future role.		2
Achieving Measurable Results - Consistently exceeds goals, dedicated to exceeding the expectations of internal and external customers.		2
Personal Learning - Takes personal responsibility for the continuous learning of new knowledge, skills and experiences.		2
Planning and Organizing - Establishing courses of action for self and others to ensure that work is completed efficiently.		2
Leadership Courage - Willing to take a managed risk to drive the business forward.		2
Significant Accomplishments:	Overall Rating	
Success in developing Carla to ASM and supporting Leedel's PIP. Improved performance in customer voice metrics and consistent response rate above 30. Success in promotional contests such as the whole bean, espresso excellence, daily brew, and Vivanno. 5th highest Ecosure cleanliness score in Area 82. 90 day turnover below 30%. Financial management in regards to food inventory control. Scored a 97% on the Daily Records Book section of the PNAP audit.	1.9	

Performance Improvement Opportunities in Current Role:

Continue to set direction and inspire your team to exceed a 90% on Ecosure audit and have consistent café cleanliness. Inspiring partners to see more of a future with Starbucks to reduce barista turnover of 166%. To continue to raise hiring practices to hire for future leaders and consistently holding partners to policy and procedure. To raise personal sense of urgency regarding operational execution and presentation to raise the level of service, customer experience, and store success. Could show more creativity and proactivity in finding ways to drive sales when coming just short of sales targets.

Signatures and Dates:

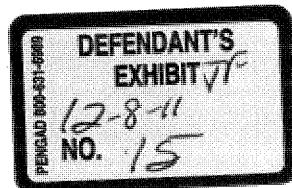
Manager's Signature

Date

Partner's Signature

Date

* Partner's signature indicates this review has been discussed and does not necessarily indicate the partner's agreement with the contents.



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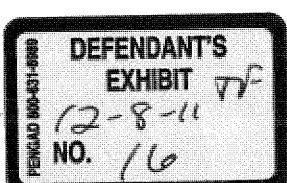
**PERFORMANCE EXPECTATIONS & RESULTS – Non Retail and Field Leadership**

Partner Name: Serenity Marshall	Position Title: Store Manager
Partner Number: 1088330	Fiscal Year Date: 09/18/09

Q1- What's Important and Where to Focus (Important in position, complete within first month of hire) Date Completed:	
List the targeted results, goals and accountabilities to be achieved in order to be effective in your job. Reference the Core Competencies on the back of this form for determining how to achieve goals and accountabilities.	
<p>Goal 1: Increase our brewed coffee sales by 50%</p> <ul style="list-style-type: none"> • All partners at 90 days are able to describe coffee origin, distinction between coffees and conduct legendary coffee tasting's • We will measure success by increasing our Brewed Coffee Sales • We will maximize the sales potential of our Coffee Traveler Sales with a goal of every store selling at least one each day <p>Goal 2: Reduce overall barista turnover by 20%</p> <ul style="list-style-type: none"> • Our promise is that NO SHIFT WILL RUN SHORT • Our goal is to create great partners environments such that it results in no more than 1 partner per month choosing to leave • District Managers are committed to engaging and connecting all new partners within their first 7 days of joining Starbucks • We have a strong commitment to our partners ongoing training and development such that we have a robust pipeline of talent to take on next level challenges at all levels <p>Goal 3: Increase overall satisfaction by 10% and/or achieve goal of 75%</p> <ul style="list-style-type: none"> • We will provide a world class experience to our guests by providing front of the house leadership, ensuring we are 100% staffed with legendary partners in stores that are immaculately clean <ul style="list-style-type: none"> ◦ This will be measured through... <ul style="list-style-type: none"> ▪ Eco Sure scores with a goal of 90% or better ▪ Customer Voice Overall Satisfaction, Cleanliness and Speed scores achieving a minimum goal of 75%. ▪ Respondents meet or exceed 30 per store, per month ◦ SM's, DM's and RD's provide servant leadership to their teams while working the busiest days and day parts (peak periods) <ul style="list-style-type: none"> ◦ We create enthusiastically satisfied customers by personally connecting with guests daily <p>Goal 4: Deliver a sustainable economic model</p> <ul style="list-style-type: none"> • It is through the tactics and strategies outlined above that we will achieve our sales and contribution targets. This will be our ultimate definition of success. 	

Q2/Q3- Check-in on Progress and Changes Date Completed:	
Discuss performance to date, key learnings and next steps. Reference the Core Competencies on the back of this form as you explain how they were effectively utilized to achieve goals and accountabilities.	
<p>Goal 1: Brewed coffee goal YTD March: \$152,762, Actual: \$124,280 (-28,502) Tea goal YTD March: \$83,352, Actual: \$73,938 (-9,414)</p> <p>Coffee traveler sales are not sustaining from contest. Not consistently selling at least 1 traveler a day. Whole bean sales are up \$941 YTD, however trending down in March, (-\$378 to LY). Not all partners have completed their coffee passports/nor conducting legendary coffee tastings.</p> <p>Goal 2: Turn 7 baristas since October '09. Two shift supervisors. Of them, 1 shift and 3 baristas were voluntary. Continue to develop ASM, Alfred Berneti, in position to become SM.</p> <p>Goal 3: Ecosure for FY'09: 77.7 vs goal of 90% Customer Voice Overall Satisfaction: 22, 37, 48, 41, 46, 43. Not making consistent improvement in overall satisfaction.</p> <p>Goal 4: Food UPH: fluctuates between 26-28 vs. LY of 33-36. Bakery Variance in 03/09 was 1.8, YTD is 4.3. Sandwich Variance in 03/09 was 0.8, YTD is 7.5 (Improvements in markup/variance management have improved, however focus needs to remain on driving profit and growing UPHs By 5% vs. LY) Cash shortage in March of \$286, YTD: \$1,183</p>	

Q4- Review Results and Accomplishments Date Completed:	
Provide examples of the actual performance against goals. Describe the competencies/behaviors that were demonstrated in achieving these results. Reference the competencies on the back page of this form.	
<p>Results attached on Scorecard and P&L.</p> <p>In regards to changes to goals, the 4 areas critiqued against results are Ecosure, Customer Voice, Turnover and Controllable Contribution. Ecosure: 77.8, Customer Voice: Overall Satisfaction as of July: 51.4%, YTD: 40.2%, Controllable Contribution: YTD: 43.4 vs target of 43.1. Turnover:</p> <p>Serenity has struggled throughout FY '09 to achieve results. In the beginning of the year, Serenity struggled achieving results due to opportunities in competencies across the board: Puts the Customer First, Works well with Others, Leads Courageously, Develops Continuously, Achieves Results. After taking an LOA in April, Serenity has shown improvement in competencies. She is able to see the connection between operations and customer experiences. She has taken risks to drive the business forward and create fast service by adding an additional partner to peak, however continues to wait for direction from DM in certain areas before taking action. She has recently taken on the role to organize interview dates for the team, and has also helped in developing SMs to build interview skills (i.e...Samba). She is</p>	



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gaining momentum in building relationships, not only in her store, but also amongst her peers. She has offered help in training peers new hires. She continues to show opportunity by leveraging the strengths of her peers to get things done. Serenity has shown improvement in her leadership style, and articulates clear expectations to store partners of future achievements. She has also been following up with team in an efficient manner to these expectations. She has been working to ensure partners are developing to meet job requirements. It is essential going into FY '10 that Serenity focuses on the company goals and independently comes up with strategies to achieve these goals. Check and Adjust will be essential in achieving such results.

Accomplishments: 100% Health Department visit.

Summary of Top Achievements, Strengths and Areas for Development:

Achievements: Work with TRUE and involving the district as a team.

Controllable Contribution YTD is 43.4 vs target of 43.1.

Development Opportunities:

Develops Continuously: Serenity needs to focus on actively seeking work opportunities, job assignments and projects that will increase her skill level, as well as make learning and personal development a priority. She needs to collaborate with partners and peers to create specific, measurable and realistic development plans and independently/continuously build bench strength within her organization to meet talent needs, and take action to promote high performers.

Achieves Results: Serenity plans and puts action plans in place, however, does not consistently check and adjust. She will continue to drive initial plan, even when it is not yielding the results she is looking for.

Leading Courageously: Serenity needs to focus on taking calculated risks to achieve results, and coming up with plans independently. I would also like to see her solicit feedback from team to come up with creative solutions to challenges.

Works Well with Others: Adjust delivery style to fit the message and audience and inspire both partners and peers.

Puts Customers First: Integrate customer trends and market/industry knowledge into future strategies and approach to customer service.

OVERALL RATING	Meets Expectations	Manager provides an overall rating when based on performance against key accountabilities and the use of competencies to achieve those results.	
Must Improve	Meets Expectations	Above Expectations	Consistently Exceeds
Achievement of goals and key accountabilities is below expectations	Achieves all or the majority of goals and key accountabilities	Consistently meets and often exceeds in achieving goals and key accountabilities	Consistently exceeds in achieving goals and key accountabilities; pushes the organization to the next level and inspires others to excel

Partner Signature

Date

Manager Signature

Date

* MI rating requires Performance Improvement Plan

Serenity Marshall 9/18/09

9/18/09



Partner's signature indicates this review has been discussed and does not necessarily indicate the partner's agreement with its contents

PERFORMANCE COMPETENCIES & DEVELOPMENT PLAN

CORE COMPETENCIES FOR ALL PARTNERS:

Puts the Customer First: Has a relentless focus on the customer. Understands what the customer wants and how to best deliver the experience.

Works Well with Others: Listens and communicates well with others within and outside of Starbucks. Creates a team environment that is positive and productive.

Leads Courageously: Takes personal responsibility to do the right thing, and persists in times of challenge or uncertainty. Adapts quickly to change and makes timely, thoughtful decisions.

Develops Continuously: Continuously seek opportunities to improve self and others. Leads with trust, honesty and commitment to hire, coach and develop partners to achieve their potential.

Achieves Results: Understands what drives overall business success and is accountable to prioritize and deliver quality results. Demonstrates knowledge of core products and processes to get results. Anticipates obstacles and takes action to prevent or minimize their impact.

DEVELOPMENT PLAN:	Using feedback from recent performance review, create a development plan with the partner. Review progress against the plan at mid-year, but be sure to provide on-going feedback about progress throughout the year.	
Define skills and competencies for development; Identify how success will be measured		Date Completed:

Identify specific activities and experiences to learn and apply new skills/competencies			
Document progress at mid-year and on-going, as needed	Date:	Date:	Date:



PERFORMANCE EXPECTATIONS & RESULTS – Non Retail and Field Leadership

Partner Name: Serenity Marshall	Position Title: Store Manager
Partner Number: 1088330	Fiscal Year Date: 2010

Q1: What's important and Where to Focus (Partner review is to be complete with this section) **Date Completed:** _____

List the targeted results, goals and accountabilities to be achieved in order to be effective in your job. Reference the Core Competencies on the back of this form for determining how to achieve goals and accountabilities.

Be the Undisputed Coffee Authority

- Goal 1: Customer Sat.: Taste of Beverage (% of highly satisfied) 78%
- Goal 2: VIA Sales variance to target

Engage & Inspire our Partners

- Goal 3: Total Store Turnover 65% or 10% improvement, measured on a rolling 12-month period
- Goal 4: Barista New Hire Failure Rate: 20%

Ignite the emotional attachment with our customers

- Goal 5: Customer Overall Satisfaction: 77%
- Goal 6: Friendliness: 85%
- Goal 7: Speed of Service: 75%
- Goal 8: QASA overall score: 90%

Deliver a sustainable economic model:

- Goal 9: Sales: 100% of target
- Goal 10: Labor: V2I not greater than 0%
- Goal 11: Labor: V2 NC not greater than 0%
- Goal 12: Profitability: CC: 100% of target

Q2/Q3: Check in on Progress and Changes **Date Completed:** _____

Discuss performance to date, key learnings and next steps. Reference the Core Competencies on the back of this form as you explain how they were effectively utilized to achieve goals and accountabilities.

Be the Undisputed Coffee Authority

- Goal 1: Customer Sat.: Taste of Beverage (% of highly satisfied) 78%: 40.4%
- Goal 2: VIA Sales variance to target: up \$764

Engage & Inspire our Partners

- Goal 3: Total Store Turnover 65% or 10% improvement, measured on a rolling 12-month period: 122.6%
- Goal 4: Barista New Hire Failure Rate: 20%: 100%

Ignite the emotional attachment with our customers

- Goal 5: Customer Overall Satisfaction: 77%: 40%
- Goal 6: Friendliness: 85%: 63.6%
- Goal 7: Speed of Service: 75%: 36.4%
- Goal 8: QASA overall score: 90%: not shopped yet for this year, however has not shown consistency in QASA standards

Deliver a sustainable economic model:

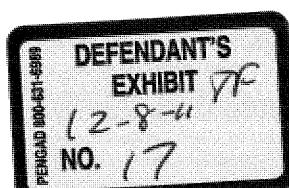
- Goal 9: Sales: 100% of target: up \$110,452 to target, 13.5% comp growth
- Goal 10: Labor: V2I not greater than 0%: (0.2%)
- Goal 11: Labor: V2 NC not greater than 0%: 0.1%
- Goal 12: Profitability: CC: 100% of target: up \$90,671, up 6.7% to target

Other:

- Food UPH growth: up 3.1%- goal of 5% increase
- Coffee Cadence: not consistent
- Development: promoted Becky Bledsoe to SS
- MCM: Nicole Mateulewich, Mari Fetzer, Keri Errico

Q4: Review Results and Accomplishments **Date Completed:** _____

Provide examples of the actual performance against goals. Describe the competencies/behaviors that were demonstrated in achieving these results. Reference the competencies on the back page of this form.



Be the Undisputed Coffee Authority

Goal 1: **Customer Sat.**: Taste of Beverage (% of highly satisfied) 78%: 57%
 Goal 2: **VIA Sales variance to target:** up \$198

Engage & Inspire our Partners

Goal 3: **Total Store Turnover** 65% or 10% improvement, measured on a rolling 12-month period : 99.2%
 Goal 4: **Barista New Hire Failure Rate:** 20% : 54.5%

Ignite the emotional attachment with our customers

Goal 5: **Customer Overall Satisfaction:** 77%: 72%
 Goal 6: **Friendliness:** 85% : 81%
 Goal 7: **Speed of Service:** 75% : 69%
 Goal 8: **QASA overall score:** 90% : 87.6%

Deliver a sustainable economic model:

Goal 9: **Sales:** 100% of target: up \$245,447 to target, 20.5% comp growth
 Goal 10: **Labor:** V2I not greater than 0%: 0.6%
 Goal 11: **Labor:** V2 NC not greater than 0%: 0.2%
 Goal 12: **Profitability:** CC: 100% of target: up \$182,473, up 5.8% to target

Summary of Top Achievements, Strengths and Areas for Development

Puts Customer First: Effective: Serenity is aware of what creates satisfied customers, knows the key drivers of overall customer satisfaction, and coaches her team on how they contribute to overall store success. Serenity has committed, in the latter half of this year, to consistently model and coach legendary service as well as set clear customer service and coaching expectations to her shift team. Serenity needs to maintain this focus consistently throughout FY'11. I would also like to see her continue to problem solve to achieve greater efficiency, influence customer decisions.

Works Well with Others: Effective: Serenity creates an environment where partners feel comfortable and communicates with her team in a clear, concise and sincere manner. She delivers difficult messages with confidence. I would like to see Serenity effectively build and utilize working relationships, both with partners, peers and support to get things done.

Leads Courageously: Ineffective: Throughout this past year, Serenity has struggled with leading courageously. She has not consistently made timely and effective decisions, she has pushed decisions upward, she has waited for things to be clearly defined(sometimes even multiple times...ie...cleanliness). She has struggled with helping partners maintain focus during competing priorities. Serenity has begun to turn around these behaviors over the course of the last quarter, however has not been a significant/consistent change to show full turn around in behaviors. I would like to see Serenity focus on articulating a clear picture of future achievements to her team, as well as clear expectations on how to achieve results(QASA, customer focus expectations of values walks, 10 minute timer/lobby slide routine, VIA...)

Develops Continuously: Effective: Serenity has been an MCM multiple times over the course of the past year. She provides ongoing coaching to her team to strengthen performance and adapts her coaching style to meet diverse needs and learning styles. She has also played a role within district to help prep partners for interviews for next level. I would like to see Serenity ensure that she consistently utilizes tools, pdps to calibrate with partners and create specific, measurable and realistic development plans.

Achieves Results: Ineffective: Serenity has not consistently utilized plan, do, check, adjust throughout this past year. She has also not consistently held herself or her team accountable to success measures. She has had difficulty root causing/problem solving to remove obstacles for her partners. Again, over the past several months, Serenity has shown a renewed focus and has begun leading her team to be successful against achieving results. This must be the foundation for FY'11. Serenity is not to lose sight of the success she has had over the past few months and move backwards. Areas of continued focus include: VIA, QASA, Customer Voice, succession planning and turnover, cash over/short.

OVERALL RATING	Meets Expectations	Manager provides an overall rating of self based on performance against goals, accountabilities and the use of competencies in achieving results.		
Must Improve	Meets Expectations	Above Expectations	Consistently Exceeds	
Achievement of goals and key accountabilities is below expectations * MI rating requires Performance Improvement Plan	Achieves all or the majority of goals and key accountabilities	Consistently meets and often exceeds in achieving goals and key accountabilities	Consistently exceeds in achieving goals and key accountabilities; pushes the organization to the next level and inspires others to excel	

Serenity Marshall
Partner Signature

10/4/10
Date

[Signature]
Manager Signature

10/4/10
Date

PERFORMANCE COMPETENCIES & DEVELOPMENT PLAN

CORE COMPETENCIES FOR ALL PARTNERS



[Partner's signature indicates this review has been discussed and does not necessarily indicate the partner's agreement with its contents]

Puts the Customer First: Has a relentless focus on the customer. Understands what the customer wants and how to best deliver the experience.

Works Well with Others: Listens and communicates well with others within and outside of Starbucks. Creates a team environment that is positive and productive.

Leads Courageously: Takes personal responsibility to do the right thing, and persists in times of challenge or uncertainty. Adapts quickly to change and makes timely, thoughtful decisions.

Develops Continuously: Continuously seek opportunities to improve self and others. Leads with trust, honesty and commitment to hire, coach and develop partners to achieve their potential.

Achieves Results: Understands what drives overall business success and is accountable to prioritize and deliver quality results. Demonstrates knowledge of core products and processes to get results. Anticipates obstacles and takes action to prevent or minimize their impact.

DEVELOPMENT PLAN

Using feedback from recent performance review, formulate development plan with the partner. Review progress against the plan at mid-year, but be sure to provide on-going feedback about progress throughout the year.

Define skills and competencies for development. Identify how success will be measured.

Date Completed:

Attain VIA Goal in quarter one

Staff internal succession plan, independent of team.

Improve customer voice metrics by 10 points during the quarter, have action plans completed Tuesday after results are posted...problem solving go see completed prior. Every partner must know action step as well as the three behaviors they are committing to elevate customer experience by the following Friday.

Improve speed of service by 8 points and taste of beverage by 20 points through our beverage repeatable routine

Ensure Quality Assurance/Customer Voice tools are fully executed, Values Walks 3x a day, daily duty roster, NY Top 10 Criticals & weekly quality assurance audits.

Arrive at labor numbers including efficiency at 75% or better. Make investments during am/pm peak to drive business forward. Check and adjust daily.

Cash over/short to be no greater than .05% of sales

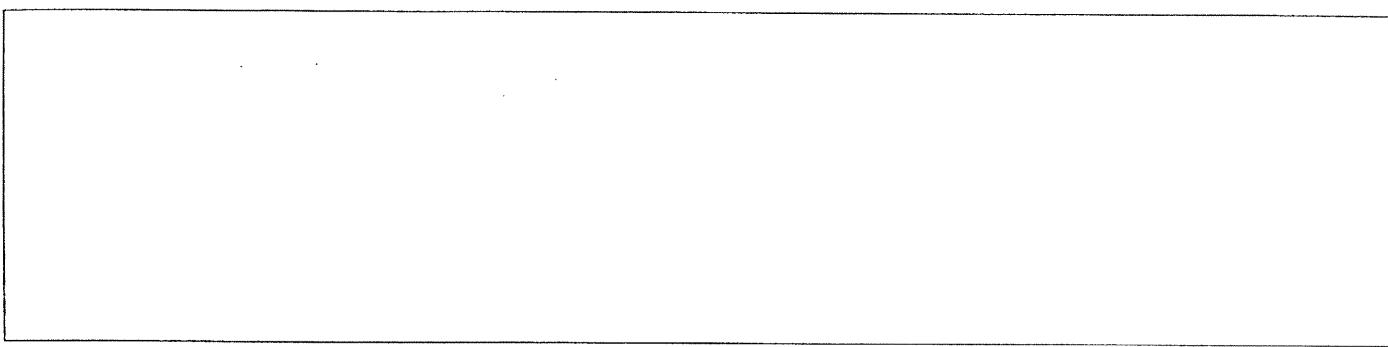
Identify specific activities and experiences to learn and apply new skills/competencies

Document progress at mid-year and on-going, as needed.

Date:

Date:

Date:





The below is a recap on the conversation Serenity Marshall and Jennifer Gurtov had regarding Creating the Environment on Tuesday, November 25th, 2008.

Creating the environment: Develops a positive, respectful, productive, and professional work environment.

Derailer: Allows discriminatory or inappropriate behavior to exist in the workplace

The issue was brought to Serenity's attention about challenging closings.

- Serenity will schedule herself for one closing a week.
- Serenity will pop in on store during times she is not scheduled.

Management of Shift Supervisor performance in cash handling.

- Serenity will evaluate the Daily Records Book daily and have coaching conversations and documentation in a timely manner.

Performance Management of partners treating customers with respect.

- Daily coaching conversations with partners around Green Apron Behaviors.
- Review conversations/connections with team daily.

Cleanliness/Operations of store: Brought to attention on many occasions.

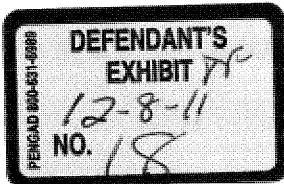
- Hold partners accountable daily to Duty Roster completeness.
- Hold SS accountable daily to FOH standards
- Re-visit cleanliness/general expectations of Bathroom Attendant and hold accountable.
- Utilize shifts to hold baristas accountable.
- Daily Values Walks

On review, was a needs improvement in Leadership.

Opportunity from review: To raise personal sense of urgency regarding operational execution and presentation to raise the level of service, customer experience, and store success.

Partner Signature Serenity Marshall Date 11/25/08

Manager Signature J. Gurtov Date 11/25/08





Corrective Action Form

Store/Dept: 847

Employee's Name: Serenity Marshall

Employee's Hire Date:

Manager's name: Jennifer Gurtov

Today's Date:

02/18/09

2/20/09

Statement of Situation

Manager's Statement Describe the situation leading to the completion of this notice. Use Corrective Action Plan form if necessary.
 Date of Occurrence(s): 02/15/09

Description: Serenity has not consistently created a great environment by not setting clear direction to her team to maintain the store operations to cleanliness standards. On the above date, during a tour of the store, bathrooms were dirty (floors and corners needed to be detailed, fixtures needed to be wiped down), whole bean stand display was facing the wrong direction, was not completely stocked, and was dirty. Floors along edges of store were dusty and dirty. Many flies were noted both front of house and back of house. Felisha was out of dress code with bright red hair. Serenity and I have had many conversations regarding the inconsistency of the cleanliness in her store. I have repeatedly set direction on opportunities listed above.

Employee's Statement Employee is encouraged to remark about this event. Use Corrective Action Plan Form, if necessary.

Date of Occurrence(s):

Description:

Corrective Action

(circle one) Verbal Written(circle one) Verbal Written

Date 02/18/09: By Whom: Jennifer Gurtov

Date: By Whom:

Comments: Serenity and I have had many conversations regarding the opportunities listed in this document.

Comments:

Employee scheduled to meet for follow-up evaluation on 03/03/09 @ 4p and on 03/17/09 @ 4p to review Action Plan to improve performance.

See attached Action Plan.

Other:

Reinforcing Improved Performance

Date: 03/17/09

Performance has (circle one):

improved

not improved

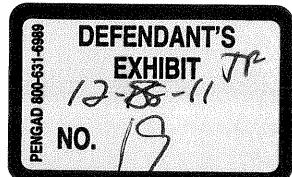
If performance has improved:

If performance has NOT improved:

Specific description of how employee performance has improved:

Action Taken:

Action Plan for continued reinforcement of improved performance:



Signatures

 02/20/09

Manager preparing form

Date

Next level manager

Date

I have read the above document and understand the information.

SKU 104130

Signed Original Copy – employee

Signed Copy – Human Resources/Regional Office

Copy – manager/store copy

Employee: Serenity Marshall

Date: 02/18/09

Setting Direction: Establishes and communicates a compelling and inspired vision and sense of core purpose; creates competitive strategies and plan; ensures department strategies are aligned with company strategies.

Serenity needs to set clear direction to her team and follow up accordingly to ensure operations are maintained to standards.

What does success look like?

- Eclosure Results to company standard of 90%
- Bathrooms are consistently detailed cleaned(corners, grouting on both floors and walls, area behind toilet, toilet brush holder)
- Mirrors and stainless on doors are consistently wiped down, free of fingerprints and splash marks.
- Bathroom is free of graffiti...if graffiti is noted in bathroom, it must be called in to facilities immediately and an e-mail must also be sent to DM to confirm with work order number.
- Front entranceway is consistently free of debri.
- Walk off mat is free of debri.
- Windows/Ledges are cleaned daily and free of fingerprints and smudges.
- Store is dusted daily(ie... retail wall bays, bean stand, ledges, electric outlets.
- Bases of basket stands, banner stand, tea stand are wiped down daily.
- Partners are consistently following standards with dress code. If they don't, they will be sent home.

Actions to be completed:

- Serenity is to set clear expectations to leadership team around Values Walks being completed at the beginning of every SM/ASM/SS shift. She is to set clear direction that action is to be taken in the moment on anything that needs to be corrected as noted on Values Walk. **To be completed by: 02/23/09**
- Serenity is to clean the bathroom with her bathroom attendants to set clear direction on what the bathroom is to look like at all times. She is to follow-up during her scheduled shifts with her bathroom attendants to ensure the cleanliness is to standards. **To be completed by: 02/23/09**
- Serenity is to set clear direction with new ASM, Alfred Bernetti, on his first day in the store. She is to review all expectations of all partners and positions and ensure he has a clear understanding of responsibilities. She is to follow up weekly with Alfred to review operations, check for understanding, and provide feedback. **To be completed by: 02/23/09**
- Serenity is to perform a Values Walk along side each partner in the store to set clear direction to team and ensure they have a clear understanding of expectations. **To be completed by: 03/02/09**
- Serenity is to perform weekly QASA audits in store. She is to perform a QASA audit with every Shift Supervisor and ASM to set clear direction to leadership team and ensure they have a clear understanding of expectations. **To be completed by: 03/17/09**



Corrective Action Form

Store/Dept: 847

Employee's Name: Serenity Marshall

Employee's Hire Date:

Manager's name: Jennifer Gurtov

Today's Date:

03/15/10

Statement of Situation

Manager's Statement Describe the situation leading to the completion of this notice. Use Corrective Action Plan form if necessary.
 Date of Occurrence(s): 03/12/10

Description: Serenity is not consistently setting clear direction to her team to maintain the store operations to cleanliness standards. On the above date, during a tour of the store, bathrooms were dirty(walls/grout beneath hand dryer, rim of garbage bin). Floors along edges of store were dirty. There was multiple days worth of build up under counters of back line spanning from brewer area all the way to underneath the warming station. Back of house floors were just as dirty. Partners were not consistently making genuine connections at hand off, not delivering the promise. Front of house was still in the process of being stocked when deployment standards should have already been in place. Serenity and I have had many conversations regarding the inconsistency of the cleanliness in her store as well as the inconsistency in behaviors around creating highly satisfied customers. I have repeatedly set direction on opportunities listed above.

Employee's Statement Employee is encouraged to remark about this event. Use Corrective Action Plan Form, if necessary.

Date of Occurrence(s):

Description:

Corrective Action

(circle one) Verbal Written(circle one) Verbal Written

Date 03/15/10: By Whom: Jennifer Gurtov

Date: By Whom:

Comments: Serenity and I have had many conversations regarding the opportunities listed in this document.

Comments:

 Other:

Reinforcing Improved Performance

Date: Performance has (circle one): improved not improved

If performance has improved:

If performance has NOT improved:

Specific description of how employee performance has improved:

Action Taken:

Action Plan for continued reinforcement of improved performance:

Signatures

03/15/10

Date

Next level manager

Date

I have read the above document and understand the information.

Employee: Serenity Marshall

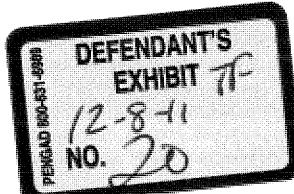
Date: 03/15/10

SKU 104130

Signed Original Copy -- employee

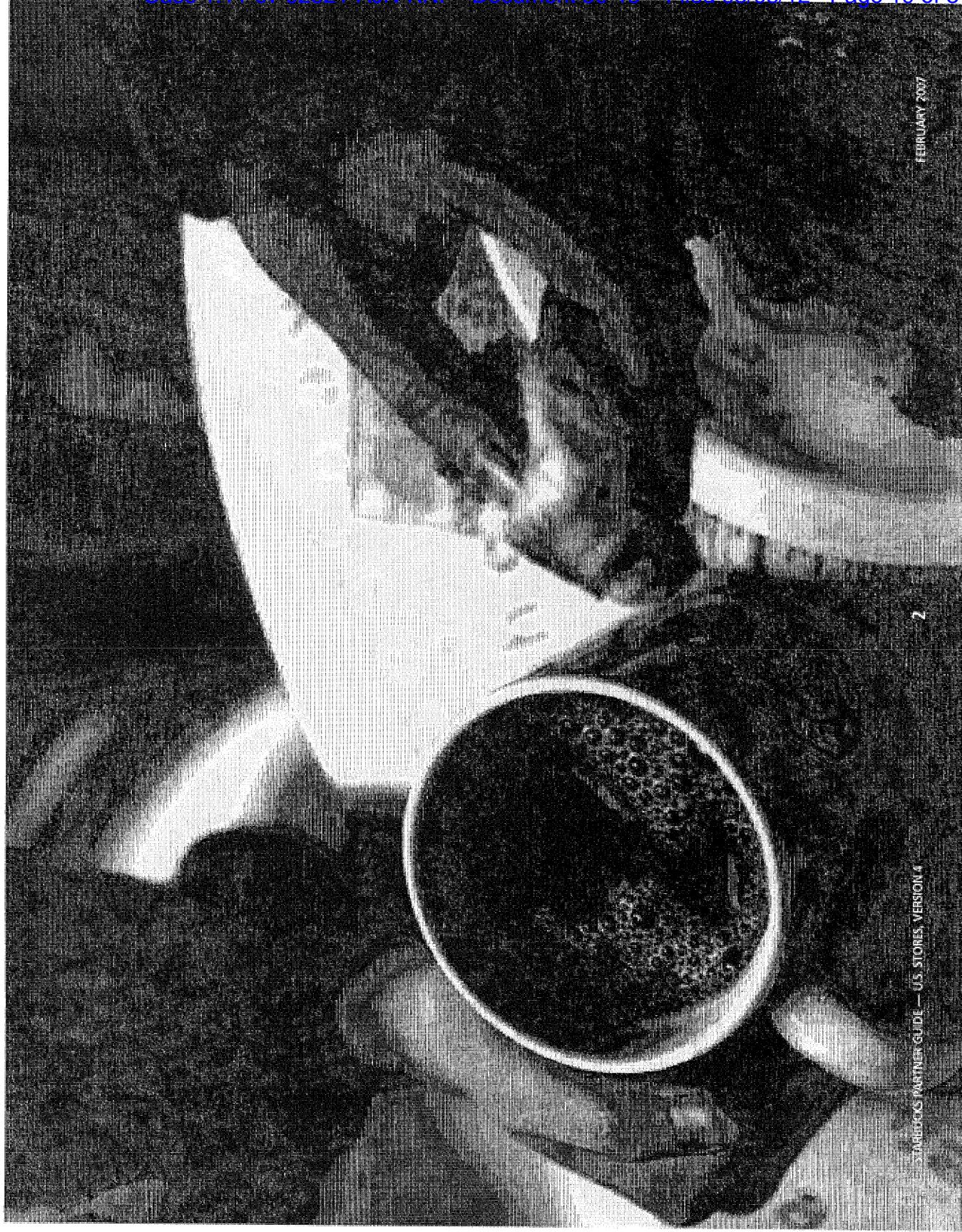
Signed Copy - Human Resources/Regional Office

Copy - manager/store copy



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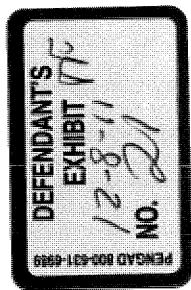
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STARBUCKS PARTNER GUIDE — U.S. STORES, VERSION 4

2

FEbruary 2007

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Bereavement

Starbucks provides time off with pay for a partner who experiences the death of a family member. The partner will receive up to two consecutive days off with pay to attend the funeral of a family member. If overnight travel is required, up to two additional consecutive days (for a total of four days) of time away from work will be paid. If the partner is notified of the family member's death while working, the partner will be permitted to take the remainder of the shift off with pay.

For purposes of this policy, a "family member" includes the partner's spouse, domestic partner, parent, step-parent, grandparent, child, stepchild, grandchild, step-grandchild, sibling or the partner's spouse's or domestic partner's parent, grandparent, sibling or child.

In order to receive time off for bereavement, the partner must submit a written request to, and receive approval from, the store manager or district manager. An hourly nonexempt partner's daily pay for bereavement leave will be based on the average number of hours worked per day over a specified period of time. Store managers and assistant store managers will be paid their regular salary for the week in which bereavement time is taken.

Reporting Paid Time Off

For managers: A manager or assistant store manager who misses a day of work must accurately report the time off during the same week the time off occurs. A store manager is required to receive approval for vacation, a personal day, jury/witness duty or bereavement leave from his or her district manager, and the assistant manager must receive approval from his or her store manager. Similarly, the store manager is expected to notify the district manager, and the assistant manager is expected to notify the store manager, as far in advance as possible if absent due to illness or injury and a sick day is being used.

All salaried managers (both exempt and nonexempt) report paid time off in Time and Attendance as full-day (eight-hour) increments only. Paid time off as vacation or sick leave is not available if the manager has not accrued at least eight hours. Therefore, if less than a full day is worked, no time is recorded as paid time off. For example, if a manager must leave early for the day due to illness, no time is reported as sick time. If, however, a

manager misses a full day of work due to illness, eight hours is entered into Time and Attendance for that day as "sick."

For hourly partners: An hourly partner is required to receive approval for paid time off from his or her store manager. The store manager will report paid time off in Time and Attendance for each day that work is missed. Paid time off must be recorded as vacation, personal day, jury duty or bereavement. The amount of pay that an hourly partner will receive for the day missed may be based on the average number of hours the hourly partner has worked for a certain period of time preceding the day off.

Unpaid Time Off

Starbucks offers partners leaves of absence for extended periods of time, depending on the reason why the partner needs time off. These leaves are unpaid. The types of leave are:

- Family/Medical leave
- Pregnancy disability leave
- Disability leave
- Military leave
- Personal leave
- Sabbatical leave

To apply for a leave of absence or to obtain more information, contact Starbucks Benefits Center at (877) 782-9236.

Family/Medical Leave

Starbucks intends for its Family/Medical leave to provide benefits consistent with the federal Family and Medical Leave Act of 1993. At all times, Starbucks will follow applicable state law to the extent state law provides benefits more generous than those provided here.

Family/Medical leave is available if the partner is absent:

- Due to a serious health condition that prevents the partner from working, including an on-the-job injury;
- Due to pregnancy or childbirth;
- To care for a family member with a serious health condition; or
- To stay home to care for a newborn child, newly adopted child or newly placed foster child.

For purposes of this policy, a family member is considered the partner's spouse, domestic partner, parent or child. A child is defined as a biological, adopted, foster or stepchild under age 18, or as otherwise defined by state and federal law, or a child over age 18 who is incapable of self-care because of a mental or physical disability.

Eligibility: To be eligible for Family/Medical leave, the partner must have been continuously employed by Starbucks for at least 90 days and actively working during that time.

If eligible, the partner has available up to 12 weeks of Family/Medical leave every 12 months. Starbucks calculates the amount of time the partner has available by reviewing the 12-month period preceding the partner's first day of leave. The amount of Family/Medical leave taken in the prior 12 months will be subtracted from 12 weeks to determine the amount of leave currently available to the partner.

Requesting Family/Medical leave: To apply for a Family/Medical leave, a partner must contact Starbucks Benefits Center, Leave Administration at (877) 3BUXBEN or (877) 728-9236. A request for Family/Medical leave must be made at least 30 days in advance. If advance notice cannot be provided because the reason for leave is sudden and unexpected, notice should be provided as soon as possible. If less than 30 days notice is provided, the partner will be asked to provide a written explanation. Notice must be provided to the store manager.

If Family/Medical leave is requested due to a serious health condition or to care for an ill family member, the partner will receive paperwork that must be completed by the partner's (or the family member's) health care provider. It is the partner's responsibility to ensure that all paperwork is

completed and returned in a timely manner. Failure to complete and return the necessary paperwork may delay the commencement of the partner's leave or, if leave has already begun, may result in a determination that the leave is unauthorized.

Continued health care coverage: If a partner is enrolled in Starbucks medical, dental and/or vision plans, coverage may continue while the partner is on an approved Family/Medical leave, subject to Starbucks ongoing benefits eligibility requirements. However, the partner will be responsible for remitting the contributions to pay for continued coverage. (Because the partner is not earning wages while on leave, contributions cannot be withheld from the partner's paycheck.) Arrangements for remitting contributions will be made at the time the partner applies for leave. Failure to remit contributions payments while on leave may result in the cancellation of the partner's coverage. If the partner elects not to return to work following a Family/Medical leave, Starbucks reserves the right to seek reimbursement from the partner for the cost of providing the partner with continued health care coverage for the duration of the leave.

Substitution of paid time off: Family/Medical leave is unpaid. However, a partner may be required to substitute any accrued but unused sick pay if the reason for the leave is due to the partner's own serious health condition or to care for a family member with a serious health condition. If sick pay is not available or if the leave is for another qualifying purpose, the partner may be required to draw vacation pay for any or all of the unpaid Family/Medical leave.

A partner eligible for short-term disability benefits may receive partial reimbursement of lost wages if taking Family/Medical leave due to the partner's own serious health condition. A partner who is unable to work because of an on-the-job injury or illness may be eligible for time-loss compensation through Workers Compensation insurance.

Reinstatement: When Family/Medical leave ends, the partner will be returned to work in the same position held when leave began or to a similar position with similar pay, benefits and other terms and conditions of employment. The partner is required to contact his or her manager at least two weeks in advance of the return to work to ensure that the partner is scheduled for work. Additionally, a partner who has been unable to work

due to his or her own serious health condition may be required to provide medical documentation of his or her fitness to return to work.

Family/Medical leave is limited to 12 weeks every 12 months. In certain circumstances, additional leave may be approved. The partner will be required to submit detailed medical documentation of his or her inability to work. Starbucks will review the additional medical documentation and determine on a case-by-case basis whether a partner may receive additional time away from work as a reasonable accommodation of a disability.

Pregnancy Disability Leave

Pregnancy disability leave is provided to a partner who is unable to work due to pregnancy or childbirth. Pregnancy disability leave will be administered in accordance with applicable state law. No eligibility restrictions apply. Unless otherwise prohibited by state law and upon satisfaction of eligibility requirements, pregnancy disability leave will also be counted as Family/Medical leave under Starbucks policy.

Disability Leave

A leave of absence may be granted to accommodate a disability, provided the leave is reasonable and does not impose an undue hardship on Starbucks operations. If the partner's disabling condition also qualifies as a serious health condition under Starbucks Family/Medical leave policy, the partner's request for disability leave will be treated as a request for Family/Medical leave. Disability leave may be approved if Family/Medical leave is not available.

Generally, medical documentation verifying the reason for and the expected duration of the leave will be required. A partner's failure to submit medical documentation may result in denial of leave and/or separation from employment. Upon receipt of the required medical documentation, Starbucks will conduct a review to determine whether the leave may be reasonably accommodated. Starbucks will also reasonably accommodate the partner's return to work by reinstating the partner into a suitable position.

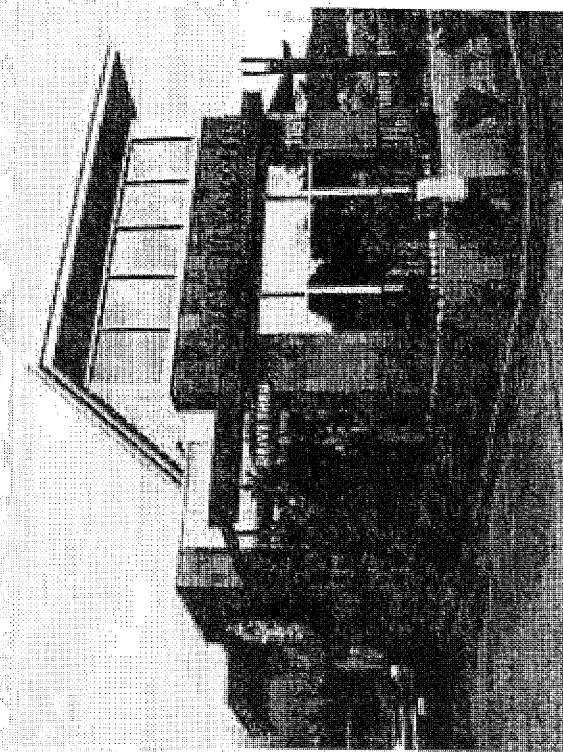
Military Leave

Starbucks abides by all applicable federal and state laws in providing members of our military services with an unpaid leave of absence to attend to military duties. If a partner is a member of the military and receives notice of annual reserve training or active duty, the partner must immediately notify his or her manager to arrange for the time away from work. The partner may also be required to provide a copy of the military orders.

When a partner is called to active duty, Starbucks will pay the difference between the partner's Starbucks pay and his or her military pay. An hourly partner's average weekly pay will be calculated on the basis of earnings for 26 weeks (or less if employed less than 26 weeks) prior to the commencement of military leave.

The military allowance will be paid for the duration of the military leave, up to 78 weeks for a partner with at least six months of continuous service with Starbucks or up to 52 weeks for a partner with less than six months of continuous service.

Section 11





BENEFITS
Starbucks Benefits Center

Starbucks Leave of Absence Request

Statement Date 01-03-2011



V000035

SERENITY F. MARSHALL
1964 GRAND CONCOURSE #1E
BRONX NY 10457

Thank you for contacting Starbucks Benefits Center Leave Administration regarding a leave request. Starbucks Leave Administration will work together with you and your manager to ensure your leave of absence is managed appropriately. Please refer to the following enclosed information to assist you with your leave approval:

- What You Need to Do Checklist
- Leave of Absence Policy and Guidelines

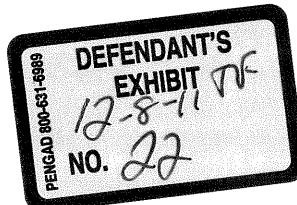
Additionally, the enclosed forms listed below must be completed and returned in order for your request for leave to be reviewed:

- Starbucks Leave of Absence request form (**Must be completed by you** and returned to Starbucks Leave Administration)
- Certification of Health Care Provider form or Health Care Provider form (**Must be completed by your health care provider or by your family member's health care provider if the leave is to care for a family member** and returned to Starbucks Leave Administration)

Your deadline to return these completed forms is **January 18, 2011**.

If you have any questions regarding the leave process, please contact Starbucks Benefits Center at 1-877-SBUXBEN (choose the prompt for "Leave Administration"). Leave Specialists are available 8:30 a.m. to 5:30 p.m., Central time, Monday through Friday, except holidays.

Sincerely,
Starbucks Benefits Center Leave Administration



416300046 06607-V000035





BENEFITS

Starbucks Benefits Center
P.O. Box 34067 S-HR3
Seattle, WA 98124-1067

Starbucks Family/Medical Leave Approval Notice

Statement Date 01-24-2011

085521axs
SERENITY MARSHALL
1964 GRAND CONCOURSE #1E
BRONX, NY 10457

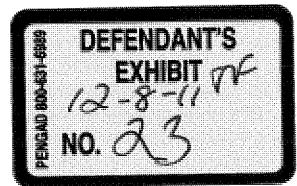
Claim Number: 2011000423

Dear Serenity :

Your request for continuous Family/Medical leave has been approved. This leave of absence will count toward your maximum of twelve (12) weeks allowed in a 12-month period, and any applicable state leave entitlement.

Our records indicate you will be on leave:

- Leave Begin Date: 01/10/2011
- Leave End Date: 02/28/2011
- Expected Return-to-Work Date: 03/01/2011



Starbucks has determined that the purpose of your leave qualifies under the Starbucks Family/Medical Leave policy. Starbucks provides eligible employees with up to twelve (12) weeks of Family/Medical leave in a 12-month period. Starbucks is counting 7 weeks and 1 day of your request as Family/Medical leave, up to the maximum allowed.

You may be required to furnish recertification of your own serious health condition during your approved Starbucks Family/Medical Leave. If recertification is required, you will be notified and given 15 calendar days to submit the recertification to Starbucks Benefits Center Leave Administration. If recertification is required but not provided, continuation of your Starbucks Family/Medical Leave may be denied and any continued leave of absence will be referred to your manager and partner resources contact.

Since your absence is due to your own serious health condition, you may be required to provide a physician's release to your manager upon your return to work.

If you cannot return to work, you must contact Starbucks Benefits Center Leave Administration within 7 days of the last day of your approved leave to discuss your options. Requests for an extension of leave may require additional documentation and further review. If the requested information is not received within 30 days of the last day of your approved leave, your extension will be denied. If your leave

delivered by **Hewitt**



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Starbucks Family/Medical Leave Approval Notice

Page 2

extension is denied and you have missed work, your absence will be considered not approved and may result in corrective action, up to and including termination of employment.

Contact Starbucks Benefits Center Leave Administration if you have changes to your leave status and/or your expected leave end date.

Please refer to the Starbucks Family/Medical Leave of Absence Guidelines sent with your Family/Medical leave application for comprehensive information regarding your leave.

If you have any questions concerning your leave of absence, please contact Starbucks Benefits Center Leave Administration at **Starbucks.CM@hewitt.com** or call **1-877-SBUXBEN** or **1-877-728-9236** (choose the prompt for "Leave Administration"). Leave Specialists are available 8:30 a.m. to 5:30 p.m., Central time, Monday through Friday, except holidays. Should you call after hours, your call will be returned the following business day.

Sincerely,

Starbucks Benefits Center Leave Administration

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BENEFITS

Starbucks Benefits Center

Starbucks Family/Medical Leave of Absence Request Form

Partner Personal Information (Please Print)

Last Name MarshallFirst Name SerenityMI F

1088330

Redacted

Claim Number (if known) _____

Partner ID number _____

Use this form to request a Family/Medical leave. You must complete all sections of this form and attach required documentation including your completed Certification of Health Care Provider Form. **Failure to provide complete information may result in your leave request being delayed or postponed.**

Reason for Family/Medical Leave

I am applying for Family/Medical leave for the following reason(s):

My own serious health condition (including pregnancy and/or recovery from childbirth)

My serious health condition is work related: Yes No

To care for my family member with a serious health condition (indicate family member's relationship below)

 Child Parent Spouse/Domestic Partner Other (specify): _____

To care for my newborn child. Date or anticipated date of birth of my child is _____/_____/_____ (MM/DD/CCYY)

To care for my newly adopted child or newly placed foster child. Adoption or placement date of my child is _____/_____/_____ (MM/DD/CCYY)

My spouse is currently employed by Starbucks Yes No

I understand that a grant of leave for one of the above purposes will count against my federal Family/Medical leave entitlement of 12 weeks in a 12-month period, and that the 12-month period is counted as the 12 months immediately preceding the first day of my leave.

I understand that if I am requesting leave to care for my own serious health condition or that of a qualifying family member, I must submit a health care provider's statement verifying the existence of the illness, and, if applicable, verifying the need for the leave on a reduced or intermittent schedule. A *Certification of Health Care Provider Form* is enclosed for completion by my Health Care Provider or that of my seriously ill family member.

The completed medical certification must be submitted at least 2 weeks prior to the commencement of my leave, if possible. I further understand that Starbucks may require a second or third opinion, at Starbucks expense.

Duration of Leave (your application cannot be considered if the duration of your leave is unknown)

I am applying for leave as follows (check one):

Continuous Leave

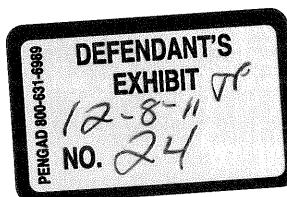
Leave Start Date (first day of absence) 01/05/2011 (MM/DD/YYYY)
 Leave End Date (last day of absence) 03/16/2011 (MM/DD/YYYY)
 Expected Return-to-Work Date 03/17/2011 (MM/DD/YYYY)

Reduced Schedule

I request that my hours of work be reduced from _____ a.m./p.m. to _____ a.m./p.m. for the period of time beginning _____ and ending _____.

Intermittent Leave

Please attach a detailed explanation of the requested intermittent leave, indicating the dates of the leave and/or any reduced work schedule.



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Page 2

Partner Personal Information (Please Print)

Marshall

Last Name

Severity

First Name

Redacted

1088330

Partner ID number

Claim Number (if known)

I understand that failure to return from a leave of absence will be considered a voluntary resignation.

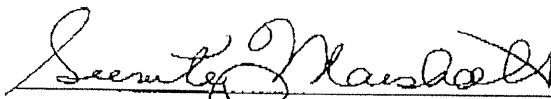
If I am unable to return to work on the date specified and need an extension, I understand that I will be asked to provide supplemental medical documentation. Requests for extensions must be received at least two weeks prior to the end of an authorized leave.

Advance Notice: I understand that Family/Medical leave requires 30 days' advance notice of a requested leave of absence when the reason for the leave is foreseeable. Failure to give advance notice may delay the commencement of the leave. If a 30 days' advance notice has not been given, please indicate the reason:

Unable to give 30 days b/c didn't have the results + appt w/current dr. Gave immediate notice after appt.

Partner Certification

I certify that the information on this form and any documentation I have attached is true and accurate. I further certify that I have read and understand the Family/Medical Leave of Absence Guidelines and will comply with the terms and conditions contained therein. I acknowledge that my request for Family/Medical leave is subject to my meeting certain eligibility requirements. I understand that I am responsible for paying applicable benefit coverage costs during my leave. I further understand that misrepresentation of my need for leave may result in corrective action, up to and including termination of employment.



Partner's Signature

01/14/2011

Date (MM/DD/YY)

917-334-8699

Partner's Telephone Number

Keep a copy of this form for your records and send a copy to:

Starbucks Leave Administration
 P.O. Box 1548
 Farmington, CT 06034-1548
 1-877-SBUXBEN or 1-877-728-9236

Fax (847) 554-1650

Starbucks.CM@Hewitt.com



BENEFITS

Starbucks Benefits Center
P.O. Box 34067 S-HR3
Seattle, WA 98124-1067

133658sxc
SERENITY MARSHALL
1964 GRAND CONCOURSE #1E
BRONX, NY 10457

**Incomplete Family/Medical
Leave Application Additional
Information Notice**

Statement Date 01/18/2011

Claim Number: 2011000423

Dear Serenity :

Starbucks has not received from you the following information necessary to review your request for Starbucks Family/Medical Leave of Absence.

Please provide the following information to Starbucks Benefits Center Leave Administration:

- The following medical information from your health care provider:
 - A Completed Certification of Health Care Provider Form
- **This information must be received by 02/02/2011.**

Please return your completed forms to:

Starbucks Leave Administration
P.O. Box 1548
Farmington, CT 06034-1548

or by fax to 1-847-554-1650.

If this information is not received by the deadline noted above, your leave of absence will be denied. If your leave is denied and you have missed work, your absence will be considered not approved and may result in corrective action, up to and including termination from employment.

If you have any questions regarding your outstanding request for leave, please contact Starbucks Benefits Center Leave Administration at **Starbucks.CM@hewitt.com** or call **1-877-SBUXBEN** (choose the prompt for "Leave Administration").

Sincerely,

Starbucks Benefits Center Leave Administration

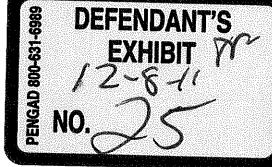
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BENEFITS

Starbucks Benefits Center

Certification of Health Care Provider Form
(For patient's own serious health condition)

Employee Section

Please print your name below and provide this form to your health care provider.

Employee Name: Serenity Marshall Partner (Employee) ID Number 1088330
Claim Number (if known): _____

Instructions to the Patient's Health Care Provider

Note: This form must be completed by an authorized health care provider.

Please complete this form and return to:

Starbucks Leave Administration
P.O. Box 1548
Farmington, CT 06034-1548

Fax: (847) 554-1650

1. Patient's Name: Serenity Marshall

2. Check the appropriate definition below for your patient's serious health condition for which this employee is requesting leave. The attached sheet describes what is meant by each "serious health condition" under the Family and Medical Leave Act of 1993 (the FMLA) for each of the following categories.

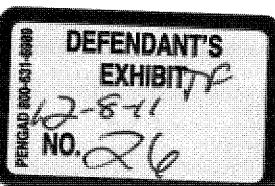
Hospital Care
 Absence plus Treatment
 Pregnancy
 Chronic Conditions Requiring Treatment
 Permanent/Long-term Conditions Requiring Supervision
 Multiple Treatments (non-chronic conditions)
 None are applicable

3. Describe the medical facts that meet the criteria of the serious health condition check above:

4. Indicate the approximate date the serious health condition commenced and its probable duration:

Start date: 1/10/2011 (mm/dd/yyyy) End date: 3/1/11 (mm/dd/yyyy)

Note: "Unknown" date or "To be Determined" date is not acceptable. If date is not known, please provide an estimated end date.



Serenity Marshall

Employee Last Name

Employee First Name

Partner (Employee) ID number

Claim Number (if known)

5. Indicate below the extent to which the patient's serious health condition impacts his or her ability to perform work [check one]:

Is unable to perform work of any kind
 Is unable to perform one or more of the essential functions of his or her job
 Must be absent from work only for treatment

6. Indicate the type of leave needed by the patient (check one and answer the related questions):

Continuous; an uninterrupted absence

a. Start date: the date the patient is unable to work _____ (mm/dd/yyyy)
b. Return to work date: the date the patient may resume work 3/1/11 (mm/dd/yyyy)

Note: "Unknown" date or "To be Determined" date is not acceptable. If date is not known, please provide an estimated end date

Reduced work schedule

a. Maximum # of hours a patient can work per week: _____
b. Maximum # of hours a patient can work per day: _____
c. Duration of the need from _____ until _____
mm/dd/yyyy mm/dd/yyyy

Note: "Unknown" date or "To be Determined" date is not acceptable. If date is not known, please provide an estimated end date

Intermittent; occasional absence due to the condition or treatment

a. Frequency of absences per week: _____ or per month: _____
b. Maximum # of hours a patient can work per day: _____
c. Duration of the need from _____ until _____
mm/dd/yyyy mm/dd/yyyy

Note: "Unknown" date or "To be Determined" date is not acceptable. If date is not known, please provide an estimated end date

Barry Marshall

(Name of Health Care Provider—please print)

T1/19/11OB/Gyn

(Signature of Health Care Provider)

(Date)

(Type of Practice)

525 East 68th Street
(Address)NY. 10021 212-746-3237
(Telephone Number)

Keep a copy of this form for your records and send a copy to:

Starbucks Leave Administration
P.O. Box 1548
Farmington, CT 06034-1548

Fax (847) 554-1650

Phone: 1-800-858-5843
FAX: 1-800-447-2498

Short Term Disability
Attending Physician's
Statement

Employer: Starbucks Coffee Company - Policy 358533

Patient's Name: Marshall Severity Redacted 4674
Last First Middle Social Security Number

Height _____ Weight _____ lbs.

Primary Diagnosis: Fibroids

01/18/9

ICD-9
code

DSM-III-R
code

Secondary Diagnosis: Bleeding

ICD-9
code

DSM-III-R
code

Pregnancy Date of LMP: _____ / _____ / _____ Date first treated: _____ / _____ / _____ Delivery date: _____ / _____ / _____
(Actual) Estimated

If Actual delivery date, type of delivery:

Has patient been released from your care? Yes No If no, estimated date of release: _____ / _____ / _____

Illness/injury/Pregnancy Complications

Objective findings:

Complications: Fibroids

Subjective Symptoms: Bleeding

Has this patient ever had the same or similar condition? Yes No If YES, what year(s): _____

Describe: _____

Date symptoms first appeared (or date of accident): 12/30/2010 Is the patient still under your care for this condition? Yes No

Dates of treatment: 12/30/2010 Next appointment date: _____ / _____ / _____

Has the patient undergone surgery? Yes No If yes, provide date, procedure and result: 01/26/2011

CPT-4
code

If No, do you expect surgery to be performed in the future? Yes No If yes, provide date & type: 1/26/2011

Medication, frequency and dosage: _____

Other types of treatment and frequency: Transfusion

Date first unable to work: 01/02/2011

Is condition due to injury/sickness arising out of patient's employment? Yes No

Patient Status: Recovered Improved Unchanged Retrogressed
Patient is: Ambulatory House Confined Bed Confined Hospitalized - From 01/25/2011 To 03/01/2011

What is your prognosis? _____ When will patient recover: 03/01/2011

Please describe any restrictions (what your patient SHOULD NOT do): _____

Please describe any limitations (what your patient CANNOT do): _____

Please describe any physical and/or mental impairments: _____

Do you believe your patient is competent to endorse checks and direct the use of the proceeds? Yes No Has the patient been released from your care? Yes No
If No, estimated date of release: _____ / _____ / _____

Name of Attending Physician <u>Barry Shulman MD</u>	Degree/Specialty <u>528 E 68th St NY</u>	Age <input type="checkbox"/> No Board Certified	Telephone No. <u>321-746-3237, 321-746-0257</u>
Street Address <u>X</u>	City <u>119th</u>	State <u>NY</u>	Fax No. <u>10063</u>
Original Signature <u>Barry Shulman</u>	Date <u>1/19/11</u>	Zip Code <u>10038</u>	Redacted

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FOR SELF-INSURED PROGRAMS/PORTLAND

110-04

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DEFENDANT'S
EXHIBIT

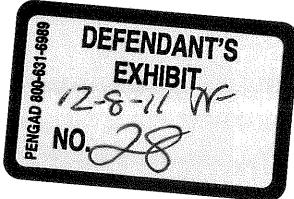
12-8-11
NO. 27

STAR_MARSHALL0000061

From: serenity
To: Jen Gurtov
CC: serenitygranted6@yahoo.com
Sent: 10/15/2010 5:53:03 PM
Subject: Vacation requests

11/29-12/6
1/3-1/10
5/23-5/30
8/15-8/22

Sent on the Sprint® Now Network from my BlackBerry®





BENEFITS

Starbucks Benefits Center

Starbucks Personal Leave of Absence Request Form

Partner Information (Please Print)

Marshall

Last Name

Serenity

First Name

F
MI

1088330

Partner ID Number

Use this form to request a personal leave of absence. Personal leave may be granted in exceptional circumstances and is subject to approval by your manager and partner resources manager (district manager for retail partners). Personal leave is limited to 30 consecutive calendar days and no more than one personal leave will be granted every three years. See Starbucks Personal Leave of Absence Guidelines for details.

Be sure to complete all sections on this form. After you have completed the form, obtain the necessary approvals and submit it (with approval signatures) to Starbucks Benefits Center Leave Administration. *Failure to provide specific information may result in your leave request being delayed or denied.*

Reason for Personal Leave

Provide detailed description of the specific reason for requesting a personal leave in the space below: ("For personal reasons" is not considered specific information)

I currently share custody of my younger sister and I need extensive time to get her other affairs in order including housing.

Requested Leave Dates (may not exceed 30 consecutive calendar days)

- Leave start date (first day of absence): 4/24/09 (MM/DD/CCYY)
- Leave end date (last day of absence): 5/23/09 (MM/DD/CCYY)
- Return-to-work date (first scheduled day): 5/23/09 (MM/DD/CCYY)

Partner Certification

I certify the information on this form is true and accurate. I further certify that I have read and understand Starbucks Personal Leave of Absence Guidelines and will comply with the terms and conditions contained therein. I understand that I am responsible for paying applicable benefit coverage costs during my leave. I further understand that misrepresentation of my need for leave may result in corrective action, up to and including termination of employment.

Partner's Signature

Name (print)

Serenity Marshall

Partner ID

1088330

Date (MM/DD/CCYY)

05/01/09

Manager Notification

I certify the partner above has notified me of the need to take time off and is requesting a Personal Leave of Absence.

Manager's Signature

Name (print)

Nancy MURGALO

Partner ID

282805

Date (MM/DD/CCYY)

05/01/09

Partner Resources Manager's or District Manager's Signature

Name (print)

Nancy MURGALO

Partner ID

209193

Date (MM/DD/CCYY)

05/01/09

Final approval for a Personal Leave of Absence is made by the Starbucks Benefits Center Leave Administration following the guidelines outlined in the Starbucks Personal Leave of Absence Guidelines.

Keep a copy of this form for your records and send a copy to:

Starbucks Benefits Center Leave Administration

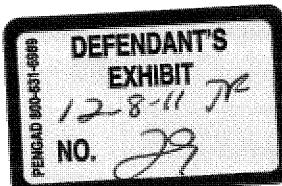
P.O. Box 1423

Lincolnshire, IL 60069-1423

1-877-SBUXBEN or 1-877-728-9236

Fax (847) 883-8032

starbucksLA@hewitt.com



STAR_MARSHALL0000008

Case 1:11-cv-02521 Document 1 Filed 04/13/11 Page 1 of 19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SERENITY MARSHALL,

Plaintiff,

v.

STARBUCKS CORPORATION and JENNIFER GURTOV, in her individual and official capacities,

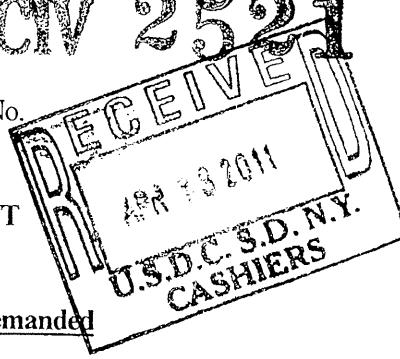
Defendants.

11 CV 2521

Civil Action No.

COMPLAINT

Jury Trial Demanded

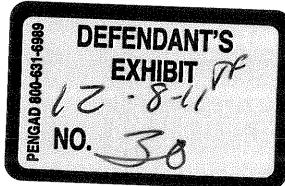
**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff Serenity Marshall (“Plaintiff” or “Ms. Marshall”), by and through her undersigned counsel, as and for her Complaint in this action against Starbucks Corporation (“Starbucks” or the “Company”) and Jennifer Gurtov (“Defendant Gurtov”) (collectively, “Defendants”), hereby alleges as follows:

NATURE OF THE CLAIMS

1. Plaintiff commences this action to seek redress for the unlawful discrimination committed against her by Defendants. Plaintiff is a former employee of Starbucks, whose work ethic, dedication, and management skills led to her quick rise from Barista to Store Manager within two short years.

2. Plaintiff worked tirelessly as a Store Manager for the Company for seven years, repeatedly earning promotions to busier Starbucks locations. Starting in 2009, Ms. Marshall worked at the Starbucks located at 345 Hudson Street, New York, New York, under the supervision of District Manager Defendant Gurtov, when she was diagnosed with uterine



Case 1:11-cv-02521-RMB Document 1 Filed 04/13/11 Page 2 of 19

fibroids -- that is, tumors in her uterus. Immediately, Defendant Gurtov's attitude toward her changed in a negative way.

3. Despite nine years of exceptional service, Starbucks turned its back on Ms. Marshall in her greatest time of need. Though Starbucks purportedly allowed Ms. Marshall to take a medical leave of absence, Starbucks unlawfully refused to allow her to return from that leave despite her protected right to reinstatement. On the date she was expected to return to work, Starbucks callously terminated her, summarily and without notice upon the recommendation of Defendant Gurtov.

4. In doing so, Starbucks flagrantly interfered with Plaintiff's rights under the Family Medical Leave Act, retaliated against her for exercising rights under the FMLA, unlawfully discriminated and retaliated against her on the basis of a disability under both the New York State Human Rights Law and the New York City Human Rights Law.

5. Plaintiff seeks declaratory, injunctive and equitable relief, as well as monetary damages, to redress Defendants' unlawful employment practices in violation of the Family and Medical Leave Act, 29 U.S.C. §§ 2601 *et seq.* ("FMLA"), the New York State Human Rights Law, N.Y. Executive Law §§ 290 *et seq.* ("NYSHRL"), and the New York City Human Rights Law, New York City Administrative Code §§ 8-101 *et seq.* ("NYCHRL").

6. Defendants' unlawful, discriminatory, and retaliatory conduct was knowing, malicious, willful and wanton and/or showed a reckless disregard for Plaintiff's protected rights, which has caused and continues to cause Plaintiff to suffer substantial economic and non-economic damages and severe mental anguish and emotional distress.

Case 1:11-cv-02521-RMB Document 1 Filed 04/13/11 Page 3 of 19

JURISDICTION AND VENUE

7. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331 and 1333 as this action involves federal questions regarding the deprivation of Plaintiff's rights under the FMLA. The Court has supplemental jurisdiction over Plaintiff's related claims arising under State and local law pursuant to 28 U.S.C. § 1337(a).

8. Venue is proper in this district pursuant to 28 U.S.C. § 1331(b) because a substantial part of the events or omissions giving rise to this action, including the unlawful employment practices alleged herein, occurred in this district.

ADMINISTRATIVE REQUIREMENTS

9. Prior to the filing of this Complaint, a copy of this Complaint was served on both the New York City Commission on Human Rights and the Office of the Corporation Counsel of the City of New York, thereby satisfying the notice requirements of § 8-502 of the New York City Administrative Code.

10. Any and all other prerequisites to the filing of this suit have been met.

PARTIES

11. Plaintiff Serenity Marshall is a former employee of Starbucks who resides in the Bronx, New York. Plaintiff was employed by Starbucks from 2002 until March 1, 2011, when Defendants unlawfully terminated her employment. At all times relevant herein, Plaintiff was an "eligible employee" and/or an "employee" under all relevant statutes.

12. Defendant Jennifer Gurtov is a District Manager for Starbucks who, upon information and belief, resides in the State of New York. Defendant Gurtov manages 12 Starbucks locations within her district, including the 345 Hudson Street location where Plaintiff worked as a Manager at the time of her unlawful termination. At all relevant times herein,

Case 1:11-cv-02521-RMB Document 1 Filed 04/13/11 Page 4 of 19

Defendant Gurtov directly participated in the discriminatory, retaliatory and otherwise unlawful employment decisions and actions taken against Plaintiff, and was a “covered employer” and/or “employer” under all relevant statutes.

13. Starbucks Corporation is a foreign business corporation organized and existing under the laws of the State of Washington with a principal place of business at 2401 Utah Avenue South, Seattle, Washington 98134. Starbucks owns and operates a global chain of coffee shops comprising approximately 17,000 stores in 50 countries. At all times relevant herein, Starbucks was and is a “covered employer” and/or “employer” under all relevant statutes.

FACTUAL ALLEGATIONS

Plaintiff's Employment at Starbucks

14. Ms. Marshall commenced employment at Starbucks in or around May 2002 as a Barista, earning approximately \$7.75 per hour. In or around August of that year, as a result of her hard work and dedication, she earned a promotion to Shift Supervisor at a salary of approximately \$9.25 per hour.

15. In or around May 2003, only one year after she was hired, Ms. Marshall was promoted to Assistant Manager with a yearly salary of \$31,500.

16. In or around mid 2004, Ms. Marshall was again promoted, this time to Store Manager of the Starbucks branch located at 21 East 8th Street, New York, New York, and her salary was increased to \$41,500.

17. Throughout the following six years, until the time of her unlawful termination, Ms. Marshall received multiple raises and promotions as she was transferred to busier branches where her experience and hard work were maximized by the Company.